

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-CV-00701-RJC

MILLER

v.

UNITED STATES OF AMERICA

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ORDER

THIS MATTER is before the Court upon remand from the United States Court of Appeals for the Fourth Circuit with instructions to grant Petitioner's Motion to Vacate pursuant to 28 U.S.C. § 2255. (Doc. No. 12: Published Opinion). With the issuance of the court's mandate, (Doc. No. 13), this matter is ripe for disposition.

IT IS, THEREFORE, ORDERED that Petitioner's Motion to Vacate his criminal conviction in Case No. 3:07-CR-59, (Doc. No. 3), is GRANTED.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: September 20, 2013



Robert J. Conrad, Jr.
United States District Judge

